

PATENT COOPERATION TREATY

PCT

CONFIRMATION

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 16313-0234	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB2003/004645	International filing date (day/month/year) 9 July 2003	(Earliest) Priority Date (day/month/year) 10 July 2002
Applicant THE DEPARTMENT OF AGRICULTURE, WESTERN AUSTRALIA et al		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☒ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title, ☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract, ☒ the text is approved as submitted by the applicant

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure

☐ because this figure better characterizes the invention

☒ None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/IB2003/004645

A. CLASSIFICATION OF SUBJECT MATTER												
Int. Cl. ⁷ : A01H 5/00 A01H 5/10 C12N 15/60 C12N 9/88												
According to International Patent Classification (IPC) or to both national classification and IPC												
B. FIELDS SEARCHED												
Minimum documentation searched (classification system followed by classification symbols) See Electronic Database												
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched See Electronic Database												
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) WPIDS; CA; MEDLINE; BIOSIS; AGRICOLA; DGENE; ANGIS: triticum, aestivum, wheat, tritcale, imidazol?, resistan?, toleran?, susceptib?												
C. DOCUMENTS CONSIDERED TO BE RELEVANT												
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.										
X	Newhouse <i>et al.</i> (1992) "Tolerance to Imidazolinone Herbicides in Wheat" Plant Physiol. Vol 100: 882-886 (see the whole document)	1-7, 11-14, 32, 36-41, 47, 51, 53-55										
X	EP 0 58 161 B1 (AMERICAN CYANAMID COMPANY) 10 May 2000 (see the whole document)	1-7, 11-14, 32, 36-41, 47, 51, 53-55										
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex												
<p>* Special categories of cited documents:</p> <table border="0"> <tr> <td>"A" document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E" earlier application or patent but published on or after the international filing date</td> <td>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O" document referring to an oral disclosure, use, exhibition or other means</td> <td>"&" document member of the same patent family</td> </tr> <tr> <td>"P" document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </table>			"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family	"P" document published prior to the international filing date but later than the priority date claimed	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention											
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone											
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art											
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family											
"P" document published prior to the international filing date but later than the priority date claimed												
Date of the actual completion of the international search 5 May 2004		Date of mailing of the international search report 12 MAY 2004										
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929		Authorized officer TERRY MOORE Telephone No : (02) 6283 2632										

INTERNATIONAL SEARCH REPORT

International application No.

PCT/IB2003/004645

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GenBank Database Accession BF200418 6 November 2000 Anderson O. <i>et al.</i> "The structure and function of the expressed portion of the wheat genomes-Vegetative apex cDNA library from <i>Triticum monococcum</i> "	42-46
X	GenBank Database Accession BE417248 24 July 2000 Anderson O. <i>et al.</i> "International Triticeae EST Cooperative (ITEC): Production of expressed sequence tags for species of the triticeae"	42-46
P, X	WO 2003/014356 A1 (UNIVERSITY of SASKATCHEWAN) 20 February 2003 (see the whole document)	1-14, 19-56
P, X	WO 2003/014357 A1 (UNIVERSITY of SASKATCHEWAN) 20 February 2003 (see the whole document)	1-14, 19-56
P, X	WO 2003/013225 A2 (NORTHWEST PLANT BREEDING COMPANY) 20 February 2003 (see the whole document)	1-14, 19-56

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/IB2003/004645

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member			
EP 0508161		AU	14710/92	CA	2065189
		CS	9201052	EP	0965265
		HU	62137	IE	921101
		MX	9201593	NZ	242228
		ZA	9202511	CN	1065573
WO 03014356		CA	2456311	FI	921528
				JP	5219848
WO 03014357		CA	2456314	US	6339184
WO 03013225					
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.					
END OF ANNEX					